

UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER

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| ALI TALEBINEJAD,           | ) |                             |
| Complainant,               | ) |                             |
|                            | ) | 8 U.S.C. § 1324b Proceeding |
| v.                         | ) | OCAHO Case No. 2023B00002   |
|                            | ) |                             |
| MASSACHUSETTS INSTITUTE OF | ) |                             |
| TECHNOLOGY,                | ) |                             |
| Respondent.                | ) |                             |
|                            | ) |                             |

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Appearances: Ali Talebinezad, pro se Complainant  
Leon Rodriguez, Esq., for Respondent

ORDER GRANTING RESPONDENT'S MOTION FOR  
LEAVE TO SUPPLEMENT MOTION FOR PROTECTIVE ORDER

On July 22, 2025, Complainant filed a motion to compel the depositions of six of Respondent's employees.

On August 4, 2025, Respondent filed a Motion for Protective Order seeking to prevent Complainant from deposing two of those individuals on the grounds that (1) Complainant has not established that either individual possesses "unique, firsthand knowledge of the relevant facts at issue in the case"; (2) "Complainant has not exhausted less intrusive discovery methods"; (3) "to the extent that either [of the two individuals] have any relevant information, such information is already known to [Complainant] or is available through the deposition of other witnesses that MIT is already making available"; and (4) the depositions are "nothing more than an attempt to harass high-ranking MIT officials and to subject them to a burden that far outweighs their connections to this dispute." Mot. Protective Order 1.

On August 7, 2025, Respondent filed a motion seeking leave to file a supplemental exhibit in support of its motion for protective order. Respondent argues that the exhibit's inclusion in the record, coupled with a declaration from one of the contested deponents and the testimony of another of Respondent's employees supports its claim that this individual's deposition "is not proportional to the needs of this case." Mot. Leave 2. Respondent also notes that Complainant has already deposed four of its employees in this case, during which his conduct "can only be characterized as aggressive, hostile, and unprofessional." Mot. Leave 4 n.1.

“The standard routinely applied in evaluating motions for supplemental pleadings is good cause.” R.S. v. Lattice Semiconductor, 14 OCAHO no. 1362b, 2 (2021).<sup>1</sup> In evaluating whether good cause exists to permit a supplemental filing, this Court has looked at whether the filing is timely, specific in articulating the rationale for the supplement, and without prejudice to the opposing party. *See id.* (denying motion for leave to file supplemental response that was filed six and a half months after the Court’s deadline and that lacked “any detailed rationale for the Court to consider”).

Here, Respondent has timely moved the Court to supplement its motion for protective order filed only three days earlier. Moreover, Respondent provides a detailed explanation as to why the supplemental exhibit will assist the Court in ruling on the motion for protective order. Finally, the Court does not believe Complainant will be prejudiced by allowing the supplemental exhibit when considering the motion for protective order, as no delay has resulted from the filing. Accordingly, Respondent’s motion is granted, and Exhibit A is accepted as a supplement to Respondent’s August 4, 2025 Motion for Protective Order.

Additionally, Respondent is ordered to produce exemplars of the allegations made in footnote 1 of its motion for leave by August 11, 2025.

SO ORDERED.

Dated and entered on August 8, 2025.

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Honorable John A. Henderson  
Administrative Law Judge

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<sup>1</sup> Citations to OCAHO precedents in bound volumes one through eight include the volume and case number of the particular decision followed by the specific page in the bound volume where the decision begins; the pinpoint citations which follow are to the pages, *seriatim*, of the specific entire volume. Pinpoint citations to OCAHO precedents after volume eight, where the decision has not yet been reprinted in a bound volume, are to pages within the original issuances; the beginning page number of an unbound case will always be 1 and is accordingly omitted from the citation. Published decisions may be accessed through the Westlaw database “FIM OCAHO,” the LexisNexis database “OCAHO,” and on the United States Department of Justice’s website: <https://www.justice.gov/eoir/office-of-the-chief-administrative-hearing-officer-decisions>.